

**United States Bankruptcy Court
Central District of California
Santa Ana
Theodor Albert, Presiding
Courtroom 5B Calendar**

Tuesday, September 12, 2023

Hearing Room

5B

10:30 AM

8:00-00000

Chapter

#0.00 Hearings on this calendar will be conducted using ZoomGov video and audio.

For information about appearing in person (or a hybrid hearing) please visit <https://www.cacb.uscourts.gov/judges/honorable-theodor-c-albert>.

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For more information on appearing before Judge Albert by ZoomGov, please see the "Notice of Video and Telephonic Appearance Procedures for Judge Theodor C. Albert's Cases" on the Court's website at: <https://www.cacb.uscourts.gov/judges/honorable-theodor-c-albert> under the "Telephonic Instructions" section.

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- Connect early so that you have time to check in.
- Change your Zoom name to include your calendar number, first initial and last name, and client name (*ex. 5, R. Smith, ABC Corp.*) if appearing by video. This can be done by clicking on "More" and "Rename" from the Participants list or by clicking on the three dots on your video tile.
- Mute your audio to minimize background noise unless and until it is your turn to speak. Consider turning your video off until it is your turn to appear.
- Say your name every time you speak.
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Docket 0

Tentative Ruling:

- NONE LISTED -

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8:23-11458 Joel Missu and Fernanda Missu

Chapter 7

#1.00 Motion for relief from the automatic stay UNLAWFUL DETAINER

**BRIDGE WF CA CRYSTAL VIEW LP
Vs
DEBTORS**

Docket 29

Tentative Ruling:

Tentative for September 12, 2023

Grant. Case was dismissed on September 7, 2023. Appearance is optional.

Party Information

Debtor(s):

Joel Missu

Pro Se

Joint Debtor(s):

Fernanda Missu

Pro Se

Movant(s):

Allison K Higley

Represented By
Allison Kathleen Higley

Trustee(s):

CASE REOP/CONV/OR CLOSED

Pro Se

Thomas H Casey (TR)

Pro Se

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8:21-11703 DGWB, Inc.

Chapter 7

#2.00 Motion for relief from the automatic stay PERSONAL PROPERTY

**FINANCIAL SERVICES VEHICLE TRUST
Vs.
DEBTOR**

Docket 64

Tentative Ruling:

Tentative for September 12, 2023
Grant. Appearance is optional.

Party Information

Debtor(s):

DGWB, Inc.

Represented By
Thomas J Polis

Movant(s):

Financial Services Vehicle Trust

Represented By
Cheryl A Skigin

Trustee(s):

Richard A Marshack (TR)

Represented By
David M Goodrich

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8:23-11358 Jacob Allen Keaton and Maria Marques

Chapter 7

#3.00 Motion for relief from the automatic stay PERSONAL PROPERTY

**MERCEDES-BENZ FINANCIAL SERVICES USA LLC
Vs
DEBTORS**

Docket 13

Tentative Ruling:

Tentative for September 12, 2023
Grant. Appearance is optional.

Party Information

Debtor(s):

Jacob Allen Keaton

Represented By
Bert Briones

Joint Debtor(s):

Maria Marques

Represented By
Bert Briones

Movant(s):

Mercedes-Benz Financial Services

Represented By
Sheryl K Ith

Trustee(s):

Richard A Marshack (TR)

Pro Se

**United States Bankruptcy Court
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10:30 AM

8:23-10217 Richard Ching-Koon Yee

Chapter 13

#4.00 Motion for relief from the automatic stay REAL PROPERTY

**CREDIT UNION OF SOUTHERN CALIFORNIA
Vs.
DEBTOR**

Docket 44

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF MOTION FOR RELIEF FROM AUTOMATIC STAY
FILED 8-21-23**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard Ching-Koon Yee

Represented By
Christopher J Langley

Movant(s):

Credit Union of Southern California

Represented By
Caren J Castle

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
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8:23-11624 Francisco Javier Andrade

Chapter 7

#5.00 Motion for relief from the automatic stay REAL PROPERTY

**BARCLAYS MORTGAGE TRUST 2021-NPL1, MORTGAGE-BACKED
SECURITIES, SERIES 2021-NPL1, BY U.S. BANK NATIONAL
ASSOCIATION, AS INDENTURE TRUSTEE
Vs
DEBTOR**

Docket 10

Tentative Ruling:

Tentative for September 12, 2023
Grant. See #6.
Appearance required.

Party Information

Debtor(s):

Francisco Javier Andrade

Pro Se

Movant(s):

Barclays Mortgage Trust 2021-

Represented By
Darlene C Vigil

Trustee(s):

Karen S Naylor (TR)

Pro Se

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11:00 AM

8:23-11624 Francisco Javier Andrade

Chapter 7

#6.00 Order To Show Cause Why This Case Should Not Be Dismissed Because Debtor Has Another Case Pending

Docket 1

Tentative Ruling:

Tentative for September 12, 2023

Grant. There is already a case pending before Judge Houle. In that case, relief of stay was already granted.

Appearance required.

Party Information

Debtor(s):

Francisco Javier Andrade

Pro Se

Trustee(s):

Karen S Naylor (TR)

Pro Se

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8:23-10898 Jeffrey S Beier

Chapter 7

#6.10 Application To Employ Brian Thompon As Real Estate Broker

Docket 66

Tentative Ruling:

Tentative for September 12, 2023

Trustee timely filed his reply to the opposition on August 31, 2023, arguing that there is an imminent risk of foreclosure by BOA based on Debtor's serial bankruptcy filings and failure to pay the mortgage on the Property for the last 16 years. Although Trustee does not dispute that the current market value of the Property would be likely higher if Debtor had used the rents collected to maintain it, the reality is that Debtor spent that money and left nothing for the estate. Trustee encourages Debtor and the preferred broker to focus their efforts on eliciting offers to purchase the Property, instead of attempting to stifle the sale because the looming alternative is foreclosure, which would be of benefit to no one, especially the unsecured creditors. Under the circumstances, the court will not second guess the trustee's choice of broker. The motion is granted.

Appearance is optional.

Party Information

Debtor(s):

Jeffrey S Beier

Represented By
Anerio V Altman

Trustee(s):

Arturo Cisneros (TR)

Represented By
Arturo Cisneros

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11:00 AM

8:15-13008 Anna's Linens, Inc.

Chapter 7

#7.00 Trustee's Final Report And Applications For Compensation

KAREN SUE NAYLOR, TRUSTEE

RINGSTAD & SANDERS, LLP, ATTORNEY FOR TRUSTEE

HAHN FIFE & COMPANY, ACCOUNTANT FOR TRUSTEE

BRUTZKUS GUBNER, SPECIAL COUNSEL FOR TRUSTEE

MCLEOD LAW GROUP, APC, SPECIAL COUNSEL FOR TRUSTEE

SHULMAN, HODGES & BASTIAN, LLP, SPECIAL COUNSEL FOR TRUSTEE

SNELL & WILMER, LLP, SPECIAL COUNSEL FOR TRUSTEE

JOSEPH F. SWISHER

WPI RECOVERY PROFESSIONALS, LLC

FRANCHISE TAX BOARD

MATRIX TRUST COMPANY

NEWPORT GROUP

Docket 3357

Tentative Ruling:

Tentative for September 12, 2023

This is not a pretty picture considering the millions collected. But no objections were filed, and most of the secured and priority claims will receive

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CONT... Anna's Linens, Inc.

Chapter 7

some payment. It was a difficult case so maybe this is the most we can reasonably expect. Allowed as prayed.

Appearance is optional.

Party Information

Debtor(s):

Anna's Linens, Inc.

Represented By

David B Golubchik
Lindsey L Smith
Eve H. Karasik
John-Patrick M Fritz
Todd M Arnold
Ian Landsberg
Juliet Y. Oh
Jeffrey S Kwong

Trustee(s):

Karen S Naylor (TR)

Represented By

Nanette D Sanders
Brian R Nelson
James C Bastian Jr
Melissa Davis Lowe
Steven T Gubner
Jason B Komorsky
Christopher Minier
Jerrold L Bregman
Todd C. Ringstad
Brett Ramsaur
Richard C Donahoo
Andrew Still
Ashley M Teesdale

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11:00 AM

8:22-10387 Hanford Renaissance LLC

Chapter 7

#8.00 Trustee's Final Report And Applications For Compensation

JEFFFREY I. GOLDEN, CHAPTER 7 TRUSTEE

Docket 156

Tentative Ruling:

Tentative for September 12, 2023
Allow as prayed. Appearance is optional.

Party Information

Debtor(s):

Hanford Renaissance LLC

Represented By
Alan M Lurya
Jay M Spillane

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

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11:00 AM

8:23-10202 Mohamad Saadi Kabab

Chapter 7

#9.00 Application for Compensation Of Administrative Expenses And Fees For
Period: 3/13/2023 to 8/22/2023

MARSHACK HAYS WOOD LLP's, ATTORNEY FOR CH 7 TRUSTEE

FEE: \$16,061.00

EXPENSES: \$135.42

Docket 35

Tentative Ruling:

Tentative for September 12, 2023

Are there any other employed professionals, as the court did not see LBR
notice? Allow as prayed. Appearance is optional.

Party Information

Debtor(s):

Mohamad Saadi Kabab

Represented By
Brian J Soo-Hoo

Trustee(s):

Richard A Marshack (TR)

Represented By
Tinho Mang

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8:23-10202 Mohamad Saadi Kabab

Chapter 7

#10.00 Trustee's Motion To (1) Approve Compromise With Lilas Kabab, And Debtor's Children Yousef Kabab, Dalia Kabab, And Sam Kabab; And (2) Establish Procedures To Dismiss Bankruptcy Case

Docket 33

Tentative Ruling:

Tentative for September 12, 2023

Grant as unopposed and dismiss as Trustee proposes.

Appearance is optional.

Party Information

Debtor(s):

Mohamad Saadi Kabab

Represented By
Brian J Soo-Hoo

Trustee(s):

Richard A Marshack (TR)

Represented By
Tinho Mang

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8:17-13482 Catherine M Haretakis

Chapter 7

#11.00 Application for Compensation Final Fees:

DONALD W. SIEVEKE, DEBTOR'S ATTORNEY:

FEE: \$12,167.73

EXPENSES: \$0.00

Docket 410

Tentative Ruling:

Tentative for September 12, 2023
As requested, prior awards are confirmed as final.
Appearance is optional.

Party Information

Debtor(s):

Catherine M Haretakis

Pro Se

Trustee(s):

Thomas H Casey (TR)

Represented By
Beth Gaschen

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11:00 AM

8:17-13482 Catherine M Haretakis

Chapter 7

#12.00 Application for Compensation Final Fees for Period: 1/17/2018 to 11/15/2018:

C TUCKER CHEADLE, ACCOUNTANT FOR DEBTOR

FEE: **\$8,544.00**

EXPENSES: **\$ 0.00**

Docket 411

Tentative Ruling:

Tentative for September 12, 2023
Allow as prayed. Appearance is optional.

Party Information

Debtor(s):

Catherine M Haretakis

Pro Se

Trustee(s):

Thomas H Casey (TR)

Represented By
Beth Gaschen

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8:17-13482 Catherine M Haretakis

Chapter 7

#13.00 Application for Compensation Final Fee For: Period: 8/31/2017 to 7/31/2018

SINGER LEWAK, LLP, APPRAISER

FEE: **\$7,815.89**

EXPENSES: **\$0.00**

Docket 416

Tentative Ruling:

Tentative for September 12, 2023
Allow as prayed. Appearance is optional.

Party Information

Debtor(s):

Catherine M Haretakis

Pro Se

Trustee(s):

Thomas H Casey (TR)

Represented By
Beth Gaschen

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8:17-13482 Catherine M Haretakis

Chapter 7

#14.00 Second Interim Application For Allowance and Payment of Fees and Reimbursement of Expenses For Period: 3/10/2020 to 8/18/2023:

GOLDEN GOODRICH LLP, TRUSTEE'S ATTORNEY

FEE: \$24537.00

EXPENSES: \$349.53

Docket 419

Tentative Ruling:

Tentative for September 12, 2023
Allow as prayed. Appearance is optional.

Party Information

Debtor(s):

Catherine M Haretakis

Pro Se

Trustee(s):

Thomas H Casey (TR)

Represented By
Beth Gaschen

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11:00 AM

8:22-11585 AB Capital, LLC, a California limited liability co

Chapter 7

#15.00 Trustee's Motion For Order Authorizing Sale of Real Property Located At 444 North Museum Drive, Los Angeles, CA (A) Outside The Ordinary Course Of Business; (B) Free And Clear Of Liens, Claims, And Encumbrances; (C) Subject To Overbid; And (D) For Determination Of Good Faith Purchaser Under 11 USC Section 363(M)

Docket 373

Tentative Ruling:

Tentative for September 12, 2023
Grant as unopposed. Appearance is optional.

Party Information

Debtor(s):

AB Capital, LLC, a California

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
Alan W Forsley
Ryan D O'Dea
Kristine A Thagard
James C Bastian Jr
Marc A Lieberman
Rika Kido

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11:00 AM

8:22-11585 AB Capital, LLC, a California limited liability co

Chapter 7

#16.00 Chapter 7 Trustee's Motion For Order: (1) Confirming the Sale of Real Property Owned By Debtor's Affiliate, Subject to Overbid, Comports With the Preliminary Injunction Entered In the Adversary Proceeding; (2) Authorizing the Trustee to Execute Any and All Documents Convenient and Necessary to the Sale; and (3) Granting Related Relief

Docket 380

Tentative Ruling:

Tentative for September 12, 2023

Short sale confirmed as requested. Appearance is optional.

Party Information

Debtor(s):

AB Capital, LLC, a California

Pro Se

Trustee(s):

Richard A Marshack (TR)

Represented By

D Edward Hays

Alan W Forsley

Ryan D O'Dea

Kristine A Thagard

James C Bastian Jr

Marc A Lieberman

Rika Kido

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8:22-11776 Elaheh Yazdi

Chapter 7

#17.00 Motion To Disallow Claim No. 1 Filed By Verdugo Plaza & Pharmacy, Inc.

Docket 39

***** VACATED *** REASON: NOTICE OF VOLUNTARY DISMISSAL
OF A CONTESTED MATTER FILED 8/25/2023, DKT#45.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Elaheh Yazdi

Represented By
Ahren A Tiller
Donald W Reid

Trustee(s):

Richard A Marshack (TR)

Represented By
Melissa Davis Lowe

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8:21-12041 Osmo, Inc.

Chapter 7

**#18.00 Objections To The Following Claims:
(cont'd from 2-28-23 - as to claim #5-1 filed by LimNexus only)**

**(cont'd from 5-23-23 per order approving stip. between the ch 7 trustee,
Limnexus LLP, Ling Liu, and Diane Kim cont. hrg dates scheduled on May
2, 2023 and May 23, 2023 entered 5-01-23)**

**(cont'd from 7-25-23 per order approving stip. between the ch 7 trustee,
Limnexus LLP, Ling Liu, and Diane Kim. entered 7-24-23)
(cont'd from 9-05-23 per court's own mtn)**

Claim No. 5

LimNexus LLP

Docket 52

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
WITHDRAWAL OF OBJECTION TO THE FILED CLAIM OF
LIMNEXUS AND REQUEST TO TAKE HEARING OFF CALENDAR
FILED 8-24-23 - SEE DOCUMENT #113**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Osmo, Inc.

Represented By
Stella A Havkin

Trustee(s):

Weneta M.A. Kosmala (TR)

Represented By
Jeffrey I Golden
Ryan W Beall

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8:21-12041 Osmo, Inc.

Chapter 7

#19.00 Motion For Order Approving Stipulation Between The Chapter 7 Trustee And Creditors Ling Liu And Diane Kim Regarding Standing To Object To The Filed Claim Of Limnexus, Llp And Waiver Of Attorneyclient Privilege Pursuant To Federal Bankruptcy Rule 9019
(set from order granting stip. entered 4-05-23 - see order #87)
(cont'd from 5-2-23 per order approving stip. between the ch 7 trustee, Limnexus LLP, Ling Liu, and Diane Kim cont. hrg dates scheduled on May 2, 2023 and May 23, 2023 entered 5-01-23)
(con't from 7-11-2023)
(cont'd from 9-05-23 per court's own mtn)

Docket 79

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING
STIPULATION TO WITHDRAW MOTION FOR ORDER APPROVING
STIPULATION BETWEEN CH 7 TRUSTEE & CREDITORS LING LIU
AND DIANE KIM REGARDING STANDING TO OBJECT TO THE
FILED CLAIM OF LIMNEXUS ENTERED 8-28-23**

Tentative Ruling:

Tentative for 7/11/23:

By this Motion, the Trustee, Weneta Kosmala ("Trustee") seeks the Court's approval of a Stipulation entered into between the Trustee and the Creditors Ling Liu and Diane Kim ("Creditors") that provides that the Creditors have standing to object to the LimNexus Claim and that the corporate debtor, Osmo, Inc.'s ("Debtor") pre-petition attorney client privilege is waived as to claims and defenses that may arise from and be related to the objection to the LimNexus Claim. In exchange, the Creditors intend to prosecute the objection already filed to the LimNexus Claim for the benefit of the Debtor's Estate. The Stipulation, Trustee argues, is an effective resolution of the issues with respect to the LimNexus Claim, and the Stipulation allows for an efficient objection to the LimNexus Claim without the Trustee expending significant time and energy litigating the LimNexus Claim.

The motion is teed up as a Rule 9019 motion and to be evaluated under In re A&C Properties, 784 F.2d 1377, 1380-81 (9th Cir. 1986), cert. den., Martin v.

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CONT... Osmo, Inc.

Chapter 7

Robinson, 479 U.S. 854, 107 S. Ct. 189 (1989). This standard requires the court to consider the probability of success of any litigation, the difficulties in collection on a judgment, the complexity of the matter, the expense, inconvenience or delay occasioned by resolution through litigation, and interests of creditors, and the reasonableness of the compromise.

Here, the Trustee persuasively argues that all A&C Properties factors favor granting the motion, especially since the motion is unopposed.

Grant

Appearance: optional

Party Information

Debtor(s):

Osmo, Inc.

Represented By
Stella A Havkin

Trustee(s):

Weneta M.A. Kosmala (TR)

Represented By
Jeffrey I Golden
Ryan W Beall

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: Multiple Debtors, see order

Chapter 0

Misc#: 8:23-00104 Multiple Debtors, see order

**#20.00 STATUS CONFERENCE RE: Order Requiring Employment Development
Department To Appear Through Counsel At A Status Conference
(cont'd from 6-27-23)
(cont'd from 7-25-23)**

Docket 1

***** VACATED *** REASON: ORDER TAKING STATUS
CONFERENCE OFF CALENDAR ENTERED ON 7-27-23**

Tentative Ruling:

Tentative for 7/25/23:
Appearance?

Tentative for 6/27/23:
Appearance?

Appearance:required

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: Multiple Debtors, see order

Chapter 0

Misc#: 8:23-00105 Multiple Debtors, see order

**#21.00 STATUS CONFERENCE RE: Order Requiring California Business Bureau To
Appear Through Counsel At A Status Conference.
(cont'd from 6-27-23)
(cont'd from 7-25-23)**

Docket 1

Tentative Ruling:

Tentative for September 12, 2023

Why no appearance? A sanction of \$500 per day will accrue from date of this hearing pending further hearing on October 10, 2023 at 11:00 a.m. or until California Business Bureau's compliance with the requirements of registration for electronic noticing. A legal representative is ORDERED TO APPEAR AT THE CONTINUED HEARING. The daily sanction may increase if again no appearance is made.

Appearance required.

Tentative for 7/25/23:
Appearance?

Tentative for 6/27/23:
Appearance?

Appearance: required

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: Multiple Debtors, see order

Chapter 0

Misc#: 8:23-00114 Multiple Debtors, see order

**#22.00 STATUS CONFERENCE RE: Order Requiring Sequoia To Appear Through
Counsel At A Status Conference
(cont'd from 8-08-23)**

Docket 0

Tentative Ruling:

Tentative for September 12, 2023

Why no appearance? A sanction of \$500 per day will accrue from date of this hearing pending further hearing on October 10, 2023 at 11:00 a.m. or until Sequoia's compliance with the requirements of registration for electronic noticing. A legal representative is ORDERED TO APPEAR AT THE CONTINUED HEARING. The daily sanction may increase if again no appearance is made.

Appearance required.

Tentative for 8/8/23:

Issue OSC to Sequoia to appear through its CEO?

Appearance: required

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1:00 PM

8: -

Chapter

**#23.00 Mediation Hearing Re: Case No. 2:18-11475 RK
[Zoom Hearing]**

Docket 0

Tentative Ruling:

- NONE LISTED -